

EXHIBIT A

IN THE DISTRICT COURT OF THE UNITED STATES

For the Western District of New York

THE UNITED STATES OF AMERICA

MARCH 1999 GRAND JURY
(Empaneled 3/16/99)

-vs-

99-CR-6089CJS

DENNIS FORBES,
a/k/a "D,"
KEVIN PIERRE,
a/k/a "Jimmy Grant,"
a/k/a "P.B.," and
DAMON SHALLOW,
a/k/a "Romello,"

Violations:

Title 21, United States
Code, Sections 846,
861(a)(1), 841(a)(1);
Title 18, United States
Code, Section 924(c)(1);
Title 26, United States
Code, Section 5861(d)

Defendants.

SECOND SUPERSEDING INDICTMENT

COUNT ONE

The Grand Jury Charges That:

Between in or about July 1998 and in or about July 1999, at Rochester, in the Western District of New York, and elsewhere, the defendants, DENNIS FORBES, a/k/a "D," KEVIN PIERRE, a/k/a "Jimmy Grant," a/k/a "P.B.," and DAMON SHALLOW, a/k/a "Romello," did knowingly, willfully and unlawfully conspire, combine, confederate and agree together, and with others, known and unknown, to commit offenses against the United States, that is, to possess with intent

FILED COURT
U.S. DISTRICT COURT
W.D.N.Y. ROCHESTER
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to distribute, and to distribute, 50 grams or more of a mixture or substance containing cocaine base, a Schedule II controlled substance, and a mixture or substance containing marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

The Grand Jury Further Charges That:

Between in or about July 1998 and in or about July 1999, at Rochester, in the Western District of New York, the defendant, DENNIS FORBES, a/k/a "D," did knowingly, willfully and unlawfully use and carry a firearm during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, and did possess a firearm in furtherance of said drug trafficking crime, that is, the conspiracy to possess with intent to distribute, and to distribute, a mixture or substance containing 50 grams or more of cocaine base, a Schedule II controlled substance, and a mixture or substance containing marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 846, as charged in Count One of this Indictment.

All in violation of Title 18, United States Code, Section 924(c)(1).

COUNT THREE

The Grand Jury Further Charges That:

Between in or about July 1998 and in or about July 1999, at Rochester, in the Western District of New York, and elsewhere, the defendant, DENNIS FORBES, a/k/a "D," a person at least 18 years of age, knowingly, intentionally and unlawfully employed, hired, used, persuaded, induced, enticed, and coerced Winston Banner, a/k/a "Conroy Porchman," a/k/a "Cisco," who was then under 18 years of age, to violate Title 21, United States Code, Section 846 by participating in a conspiracy to possess with intent to distribute, and to distribute, a mixture or substance containing cocaine base, a Schedule II controlled substance, and a mixture or substance containing marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

All in violation of Title 21, United States Code, Sections 846 and 861(a)(1).

COUNT FOUR

The Grand Jury Further Charges That:

Between in or about July 1998 and in or about July 1999, at Rochester, in the Western District of New York, the defendant, KEVIN PIERRE, a/k/a "Jimmy Grant," a/k/a "P.B.," did knowingly, willfully and unlawfully use and carry a firearm during and in

relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, and did possess a firearm in furtherance of said drug trafficking crime, that is, the conspiracy to possess with intent to distribute, and to distribute, a mixture or substance containing 50 grams or more of cocaine base, a Schedule II controlled substance, and a mixture or substance containing marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 846, as charged in Count One of this Indictment.

All in violation of Title 18, United States Code, Section 924(c) (1).

COUNT FIVE

The Grand Jury Further Charges That:

On or about the 29th day of September, 1998, at Rochester, in the Western District of New York, the defendant, DAMON SHALLOW, a/k/a "Romello," did knowingly, intentionally and unlawfully possess with intent to distribute a quantity of a mixture or substance containing cocaine base, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a) (1) and 841(b) (1) (C).

COUNT SIX

The Grand Jury Further Charges That:

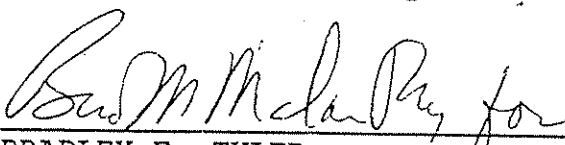
On or about the 29th day of September, 1998, at Rochester, in the Western District of New York, the defendant, DAMON SHALLOW, a/k/a "Romello," knowingly possessed a firearm, namely, one (1) .22 caliber Feather Industries semiautomatic rifle, bearing the serial number B13896, having a barrel less than 16 inches in length and an overall length of less than 26 inches, not registered to him in the National Firearms Registration and Transfer Record.

All in violation of Title 26, United States Code, Sections 5841, 5845(a), 5861(d) and 5871.

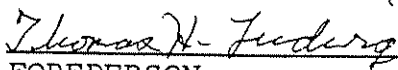
DATED: Rochester, New York, March 23, 2000.

DENISE E. O'DONNELL
United States Attorney

BY:


BRADLEY E. TYLER
Assistant United States Attorney
In Charge

A TRUE BILL:


FOREPERSON